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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/662,366	09/16/2003	Fred Primrose	59856.1	9427
31209 7	590 02/01/2005		EXAMINER	
DONALD V. TOMKINS			SMITH, JAMES G	
740, 10150 - 1	S LAW OFFICE 00 STREET		ART UNIT	PAPER NUMBER
EDMONTON, AB T5J 0P6 CANADA			3723	
			DATE MAILED: 02/01/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Ethanisms of some may be paralisms where the provisions of 3°CFR 1.356g). In no event, however, may a reply be timely filed Ethanisms of some may be paralisms where the provisions of 3°CFR 1.356g). In no event, however, may a reply be timely filed If the period for reply signated above is less than thirty (30 days, a reply whith the statulary minimum of barry (30) lays, as well be considered timely. If the period for reply signated above is less than thirty (30 days, a reply whith the provision of the paraling date of this communication. Falsate to reply whith the set of extended pretend for reply will, by a statulary parking high part of the recommunication. Falsate to reply whith the set of extended pretend for reply will, by a statulary parking high part of the recommunication. Falsate to reply which the set of extended pretend for reply will, by a statulary parking will an extended patent term adjustment. Set 3° CFR 1.744g). Status 1) Responsive to communication(s) filed on		Application No.	Applicant(s)				
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1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply - If NO period for reply is specified above, the maximum statutory, period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing	6(a). In no event, however, may a reply be tim within the statutory minimum of thirty (30) days ill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	ely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-25 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-25 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 16 September 2003 is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 16 September 2003 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	Status						
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Art Unit: 3723

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 6-8 and 21-23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 6-8 are drawn to embodiments not fully enabled by the specification on pages 12-13 as there is insufficient structure disclosed to allow one skilled in the art to make or use the device, i.e. how the bridging members can be hinged or swiveled to the ratchet wheels.

Also, the claimed modification in claims 21-23 are not understood as there is only shown two outwardly extending brackets (64) that each mount some type of structure to engage the spring cone (94). To only claim one such bracket would render the device inoperative as proper rotation could not be performed with only one bracket.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-4 and 6-25 contain no structure to allow for the shaft (90) being contained within the bridging member, e.g. a slot, thus the claimed device is inoperative and indefinite.

Claim 5 recites at least one of the bridging members being an auxiliary ratchet wheel with "a plurality of cogs", however it depends from claim 1 which already has each bridging member having a plurality of cogs, thus it appears that there are an additional set of cogs on at least one of the bridging members.

There is also no antecedent basis for "the shaft", "the shaft diameter", "the diameter of the centroidal opening", "the minimum width of the radial slot", "the edges of the perimeter gap", "the diameter of the primary ratchet wheel", "the arcuate length of the perimeter gap".

Further, "the bridging member" and "the primary ratchet wheel" are ambiguous as there are a pair of each previously claimed and it is unclear which one of the pair is referred to.

All the above are in claim 1.

5. Normally a claim which fails to comply with the first and/or second paragraph of § 112 will not be analyzed as to whether it is patentable over the prior art since to do so would of necessity require speculation with regard to the metes and bounds of the

claimed subject matter, **In re Steele**, 308 F.2d 859, 862-63, 134 USPQ 292, (CCPA 1962) and **In re Wilson**, 424 F.2d 1382, 1385, 496 USPQ 494, 496 (CCPA 1970).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James G. Smith whose telephone number is 571-272-4496. The examiner can normally be reached on M-Th (7:05- 4:35) Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail, III can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James G. Smith Primary Examiner Art Unit 3723

jgs 1/31/05